



JUL 28 2004

## UNITED STATES PATENT AND TRADEMARK OFFICE

7-29-04

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UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/790,914	03/02/2004	Fengxia Qi	UAB-17403/22

Gifford, Krass, Groh, Sprinkle,  
Anderson & Citkowski, P.C.  
Suite 400  
280 N. Old Woodward Avenue  
Birmingham, MI 48009-5394

CONFIRMATION NO. 1392  
FORMALITIES LETTER



\*OC000000012816275\*

Date Mailed: 05/28/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

**For questions regarding compliance to these requirements, please contact:**

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- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

*BH*  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
UAB-17404/22

In Re Application Of: Fengxia Qi et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/790,914	March 2, 2004		25006	1645	1392

Invention: NOVEL LANTHIONINE ANTIBIOTIC COMPOSITIONS AND METHODS



Mail Stop Missing Parts  
COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on

05/28/2004

*Date*

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- \_\_\_\_\_ verified small entity declaration(s)
  - is/are attached.
  - was/were filed on \_\_\_\_\_
- A separate request for refund.
- Other (list):

1. Request for Corrected Filing Receipt;
2. Application Data Sheet;
3. Amendment to Enter Sequence Listing, and Verification Statement; and
4. Sequence Listing (hard copy and computer-readable copy)

**DISK ENCLOSED**

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**UAB-17404/22**

**In Re Application Of: Fengxia Qi et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/790,914	March 2, 2004		25006	1645	1392

# **NOVEL LANTHIONINE ANTIBIOTIC COMPOSITIONS AND METHODS**

**TO THE COMMISSIONER FOR PATENTS:**

### Mail Stop Missing Parts

Completion of application fees as calculated below:

Utility application filing fee \_\_\_\_\_

Design application filing fee \_\_\_\_\_

Total number of independent claims = \_\_\_\_\_

Total number of claims = \_\_\_\_\_

**Multiple dependent claims** \_\_\_\_\_

Surcharge for late payment of filing fee and/or late filing of original declaration or oath **\$65.00**

Petition and fee for filing by other than all the inventors or a person not the inventor \_\_\_\_\_

Fee for processing an application filed with a non-English language specification \_\_\_\_\_

Fee for processing and retention of application \_\_\_\_\_

Total completion of application fees \$65.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month       Two months       Three months       Four months       Five months

from:

until:

Date

### Total time extension fees

### Total fees due

**\$65.00**

Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)

Docket No.  
UAB-17404/22

In Re Application Of: Fengxia Qi et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/790,914	March 2, 2004		25006	1645	1392

Invention: NOVEL LANTHIONINE ANTIBIOTIC COMPOSITIONS AND METHODS

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$65.00 is to be paid as follows:

- A check in the amount of the fee is enclosed.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
- If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 07-1180

  
\_\_\_\_\_  
Signature

Dated: July 28, 2004

Avery N. Goldstein, Reg. No. 39,204  
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Gifford, Krass, Groh, Sprinkle,  
Anderson & Citkowski, P.C.  
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Birmingham, MI 48009-5394  
(248) 647-6000

I certify that this document and fee is being deposited on July 28, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. **EXPRESS MAIL**

  
\_\_\_\_\_  
Signature of Person Mailing Correspondence

CC:

\_\_\_\_\_  
Typed or Printed Name of Person Mailing Correspondence